

## EXHIBIT 38

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# EXHIBIT T

## Kahrl Wutscher LLP

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November 9, 2009

**Via First Class Mail**

Tia Danielle Smith  
4011 Hubert Avenue  
Los Angeles, CA 90008

**RE: Purported Qualified Written Request**  
**Borrower: Tia Danielle Smith**  
**Property Address: 4011 Hubert Avenue, Los Angeles, CA 90008**  
**Account No. 0021796453**

Dear Tia Smith:

We represent Aurora Loan Services LLC ("Aurora") in connection with the above-referenced matter. This is not an attempt to collect a debt. This letter responds to your purported "qualified written request" dated, but not received on, October 6, 2009.

As you know, Aurora has previously provided you with extensive information and disclosures regarding the loan or debt referenced above. Nevertheless, **please read the following disclosures carefully:**

This law firm and its lawyers are not debt collectors, and this is not an attempt to collect any debt. However, any information obtained may be used for the purpose of debt collection.

As of October 27, 2009, the amount of the debt was \$635,575.17. A copy of a payoff statement for the debt is included with this letter, and includes important additional information.

Please send any payment to Aurora, at the address indicated on the enclosed payoff statement. If the payoff includes a statement fee, Aurora will waive that fee if you pay the entire remaining amount of the debt in immediate response to this letter.

Because of interest, late charges and other charges that may vary from day to day, the amount due on the day you pay may be greater than the amount shown above. Hence, if you pay the amount shown above, an adjustment may be necessary after Aurora receives your payment; in-

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which event Aurora will inform you before depositing any check for collection.

For simple factual inquiries regarding the servicing of the loan(s) at issue, please contact Aurora's Customer Service Help Desk at:

Aurora Customer Service  
2617 College Park  
PO Box 1706  
Scottsbluff, NE 69363-1706  
(800)-550-0508

Unless you dispute the validity of the debt, or any portion thereof, within thirty days after receipt of the notice, the debt will be assumed to be valid.

Aurora has the right to enforce the Note evidencing the debt, and has the right to receive payment of the debt for and on behalf of the owner of the debt.

The name of the current owner of the debt is: Deutsche Bank Trust Company Americas, as trustee, 1761 East St. Andrew Place, Santa Ana, CA 92705.

We include with this letter various documents verifying and evidencing the debt, including but not limited to copies of the note, security instrument, payoff statement, and payment history.

The name and address of the original creditor is: Mortgage Network, Inc., PO Box 85463, San Diego, CA 92186.

Please note that this letter and the related documents are provided for informational purposes only, and in response to your inquiry. If you are making payments on the debt pursuant to a Chapter 13 bankruptcy plan, please also note that the documents may not reflect developments that may recently have occurred in connection with your Chapter 13 bankruptcy. In such a case, please contact us for the most up to date information.

Section 6 of RESPA (12 U.S.C. § 2605) requires that a "qualified written request" must relate to the servicing of the subject loan, and should include a statement of the reasons the borrower believes the account is in error. Many of your questions do not relate to the servicing of this particular loan, and request documents rather than information as allowed by the statute.

Similarly, please note that Aurora is only the servicer of the subject loan, that the questions and allegations relating to the origination of the loan are not within its purview, and

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that in any event you should submit a loan modification application in accordance with the instructions provided. In fact, your letter fails to allege that any specific error exists with respect to the servicing of the loan, but instead makes generalized, conclusory allegations primarily regarding the lending industry as a whole.

To the extent that statements in your letter consist of allegations of wrongdoing of any nature by Aurora, all such allegations are denied.

Nevertheless, subject to and without waiving any objections, Aurora responds to your requests as follows:

*1) Request: Settlement Statement HUD-1*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*2) Request: All Right to Cancel Forms*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*3) Request: ARM Program Disclosure*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*4) Request: First Payment Letter*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*5) Request: Buy down Agreement*

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**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**6) Request: Credit Documents**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**7) Request: Lock In agreement**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**8) Request: Mortgage/Deed of Trust**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**9) Request: Appraisal**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**10) Request: Loan Application**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

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***11) Request: All Good Faith Estimates***

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

***12) Request: Commitment Letter***

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

***13) Request: Hazard/Flood Policy***

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

***14) Request: CHARM Booklet***

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by the term "CHARM Booklet," and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. Further, Aurora states that the information requested may be publicly available and the borrower has no privity of contract with respect to the requested agreement. Subject to and without waiving any objections, and to the extent a response may be necessary, Aurora refers to the information and documents publicly available through the "EDGAR" system on the United States Securities and Exchange Commission's website, <http://www.sec.gov/edgar.shtml>, and requests that you provide a confidentiality agreement.

***15) Request: Title Commitment***

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**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*16) Request: Adverse Notice*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*17) Request: Purchase Agreement*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*18) Request: Mortgage Broker Agreement*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*19) Request: Privacy Policy*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

*20) Request: All State Specific Disclosures*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

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**21) Request: Closing Instructions**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**22) Request: Section 32 Disclosures**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**23) Request: Note**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**24) Request: All Truth In Lending Disclosure Statements**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**25) Request: HELOC Agreement & Disclosures**

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by the term "HELOC," and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. Further, Aurora states that the information requested may be publicly available and the borrower has no privity of contract with respect to the requested agreement. Subject to and without waiving any objections, and to the extent a response may be necessary, Aurora refers to the information and documents publicly available through the

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"EDGAR" system on the United States Securities and Exchange Commission's website,  
<http://www.sec.gov/edgar.shtml>

**26) Request: Private Mortgage Insurance Certificate**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

**27) Request: Asset Verification Documentation**

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by the term "Asset Verification," and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. All documents within Aurora's possession that may be responsive to this request, if they exist, are enclosed with this letter.

**28) Request: Income Verification Documentation**

**Response:** See the response to request 27.

**29) Request: Gift Fund letters and verification**

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by the term "Gift Fund," and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. All documents within Aurora's possession that may be responsive to this request, if they exist, are enclosed with this letter.

**30) Request: Itemization of Amount Financed**

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, if they exist, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

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*31) Request: Special Information Booklet on Closing Costs*

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by this request and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. Further, Aurora states that the information requested may be publicly available and the borrower has no privity of contract with respect to the requested agreement. Subject to and without waiving any objections, and to the extent a response may be necessary, Aurora refers to the information and documents publicly available through the "EDGAR" system on the United States Securities and Exchange Commission's website, <http://www.sec.gov/edgar.shtml>

*32) Request: Controlled Business Arrangement Disclosure*

**Objection:** This request is vague, ambiguous and unintelligible. Aurora is not able to discern what is intended by this request and therefore is not able to respond to this request without further clarification from you. Aurora states that the documents requested, if they exist, may be proprietary, confidential, and/or otherwise protected from disclosure and dissemination. Aurora also states that the information requested does not relate to any issue(s) raised by you with respect to the servicing of the loan. All documents within Aurora's possession that may be responsive to this request, if they exist, are enclosed with this letter.

*33) Request: A copy of the loan history including all payments made, all fees incurred, what has been paid out of the escrow account, and how all payments were applied. This information should cover the entire life of the loan.*

**Response:** Subject to and without waiving any objections, all the documents within Aurora's possession responsive to this request, including the loan history, are enclosed with this letter. If additional nonprivileged, nonproprietary, responsive documents are located they will be forwarded to you under separate cover.

The enclosed documents should answer any questions you may have about your loan. For simple factual inquiries regarding the servicing of the loan(s) at issue, please contact Aurora's Customer Service Help Desk at:

Aurora Customer Service  
2617 College Park

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Post Office Box 1706  
Scottsbluff, Nebraska 69363-1706  
Telephone: (800) 550-0508

Origination and the underwriting and closing of the loan transaction should be directed  
to:

Executive Communications  
10350 Park Meadows Drive  
Littleton, Colorado 80124  
Telephone (866) 420-3167

Otherwise, please contact the undersigned at the address and/or telephone number given  
above.

If you are interested in requesting a loan modification, please fill out the enclosed  
Borrower's Financial Statement, and return it to the undersigned. Also, please provide: (1)  
copies of the borrower's paystubs for the last two months; (2) if the borrower is self-employed,  
complete copies of the borrower's tax returns for the last two years; (3) copies of the borrower's  
complete bank statements for the last two months; and (4) a hardship letter, explaining why the  
borrower fell behind on the borrower's mortgage payments and how the borrower believes s/he  
will now be able to make those payments.

Thank you for your anticipated cooperation.

Sincerely,



Gabriel Assaad

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